

3738

Docket No. ECV-5608

PATENT APPLICATION

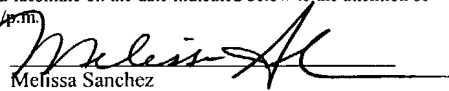
Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

☒ Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as First Class mail on the date indicated below in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m./p.m.

Dated: January 23, 2004

Name of Person Certifying:
Printed Name:


Melissa Sanchez

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Carpentier, et al.

Group Art Unit: 3738

Serial No.: 10/039,367

Examiner: Unassigned

Filing Date: January 3, 2002

Title: TREATMENT OF BIOPROSTHETIC TISSUES TO MITIGATE POST IMPLANTATION
CALCIFICATION

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

JAN 30 2004

TECHNOLOGY CENTER R3700

Dear Sir:

In accordance with 37 CFR § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ With a Request For Continued Examination (RCE) under 37 C.F.R. § 1.114.
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. §1.491.

- ☒ Before the mailing date of a first Office Action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement,
- ☒ the Commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. ECV-5608, for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
- ☐ the statement specified in 37 C.F.R. § 1.97(e) is provided below in accordance with 37 C.F.R. § 1.97(c)(1).

This Information Disclosure Statement is filed:

- ☐ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first.
- ☐ the Commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket No. _____, for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
- ☐ the statement specified in 37 C.F.R. § 1.97(e) is provided below in accordance with 37 C.F.R. § 1.97(c)(1).

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication mailed from any foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

II. Copies of the Cited Items:

- ☐ Copies of all of the items listed on the attached Form PTO-1449 are enclosed.
- ☐ Copies of only the following items listed on the attached Form PTO-1449 are enclosed: _____.
- ☐ Copies of those items which are marked with an asterisk(*) in the attached form PTO-1449 are not supplied because they were previously cited by or submitted to the Patent office in prior application No. _____, filed on _____, and relied upon in this application for an earlier filing date under 35 U.S.C. § 120. See 37 C.F.R. § 1.98(d).
- ☒ Copies of those items which are marked with an asterisk(**) in the attached Form PTO-1449 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Concise Explanation of Relevance:

- ☐ A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
- ☒ A concise explanation of relevance of the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references (copy attached).

IV. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

The commissioner is hereby authorized to charge Deposit Account No. 50-1225, Docket ECV-5608 any additional fees required in connection with the filing of this Information Disclosure Statement.

Date: January 23, 2004

Respectfully submitted,

By: 

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